

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

*In the Matter of:*

Tariffville Post Office  
Tariffville, Connecticut

Docket No. A2011-80

**UNITED STATES POSTAL SERVICE**  
**COMMENTS REGARDING APPEAL**  
(November 15, 2011)

On September 21, 2011, the Postal Regulatory Commission (Commission) received two petitions for review of the Postal Service's determination to close the Tarrifville Post Office. These petitions were filed by Mary Glassman on behalf of the Town of Simsbury, and Theresa Salls (Petitioners). Both petitions were postmarked September 9, 2011. On September 22, 2011, the Commission issued a Notice of Filing Under 39 U.S.C. § 404(d), and on September 23, 2011, the Commission issued Order No. 869, its Notice and Order Accepting Appeal and Establishing Procedural Schedule, pursuant to 39 U.S.C. § 404(d). In accordance with Order No. 869, the administrative record was filed with the Commission on October 6, 2011. On October 12, comments of Frank Haviland were received. On October 18, a letter from Congressman Christopher Murphy was received. On October 24, a petition from Wanda Coleman was received. On October 26, a letter from Robert Ball was received. On October 28, a participant statement from Theresa Salls was received.

The correspondence received by the Commission raises three main issues: (1) the effect on postal services, (2) the impact upon the Tariffville community, and (3) the

calculation of economic savings expected to result from discontinuing the Tariffville Post Office. As reflected in the administrative record of this proceeding, the Postal Service gave these issues serious consideration. Additionally, consistent with the Postal Service's statutory obligations and Commission precedent,<sup>1</sup> the Postal Service gave consideration to a number of other issues, including the impact upon postal employees. As reflected in the administrative record of this proceeding, the Postal Service gave these issues serious consideration. Accordingly, the determination to discontinue the Tariffville Post Office should be affirmed.

### **Background**

The Final Determination To Close the Suspended Tariffville, CT Post Office and continue to provide delivery and retail service by independent post office, as well as the administrative record, indicate that the Tariffville Post Office provided EAS-13 level service from 8:00 to 16:30 Monday - Friday, from 8:00 to 12:00 on Saturday to 166 post office box customers. Item 1<sup>2</sup>, Request to Study at 1; Item 2 Notice of Post Office Emergency Suspension at 1; Final Determination at Part VI. On February 4, 2011, the PO was suspended due to an emergency after the landlord instructed the Postal Service to evacuate due to structural deficiencies. Item 2A, Suspension of Tariffville Post Office; Item 3, Letter to Tariffville Postal Customer; Item 6, Field Visit-Tariffville Post Office; Item 47, FD at 1. The postmaster was reassigned on February 4, 2011 to the Simsbury Post Office. Item 47, FD at 1. Notice of termination of the lease was

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<sup>1</sup> See 39 U.S.C. 404(d)(2)(A).

<sup>2</sup> In these comments, specific items in the administrative record are referred to as "Item \_\_\_\_."

provided by notice dated March 10, 2011, effective April 12, 2011. Item 5, Landlord's Notice of Termination.

Revenue was declining: \$164,252 in FY 2008 (428 revenue units); \$159,375 in FY 2009 (416 revenue units); and \$148,092 in FY 2010 (386 revenue units). Item 47, FD at 1. There are two meter or permit customers. Item 47, FD at 1. Since February 4, 2011, retail services have been provided by the Simsbury Post Office an EAS-20 level post office located 3.4 miles away. Item 47, FD at 1; Item 33, Invitation for Comments on Proposal at 1; Item 3, Letter. Post office box and rural delivery are being provided. Item 47, FD at 1. There are six other post offices within 5 miles of the Tariffville Post Office; they are the Simsbury Post Office, the East Granby Post Office, the Granby Post Office, the Poquonock Post Office, and the Bradley Airport Retail Office . Item 4, Post Office Highway Map; Item 38, Letter to York, at 1.

The Postal Service followed proper procedures which led to the posting of the Final Determination. All issues raised by the customers of the Tariffville Post Office were considered and properly addressed by the Postal Service. The Postal Service complied with all notice requirements. In addition to the posting of the Proposal and Final Determination, customers received notice through other means. By letter dated March 1, 2011, the Postal Service informed the community of the suspension and furnished advance notice of a community meeting. Item 3, Letter. A letter and questionnaire form were distributed to delivery and retail customers of the Tariffville Post Office. Item 21, Postal Service Customer letter and questionnaire; Item 23, Customer Questionnaire Analysis at 1; Item 47, FD at 1; Item 33, Invitation for

Comments at 1. The returned customer questionnaires and Postal Service response letters appear in the administrative record at Item 22. In addition, representatives from the Postal Service were available at the Trinity Church Parish Hall for a community meeting on April 5, 2011, to answer questions and provide information to customers. Item 47, FD at 1; Item 26, Meeting Post Card at 1, 2; Item 24, Community Meeting Roster; Item 25, Community Meeting Analysis; Item 33, Invitation for Comments at 1. Customers received formal notice of the Proposal and FD through postings at nearby facilities.

The Proposal was posted with an invitation for public comment at the Simsbury Post Office, from May 16, 2011 to July 17, 2011. Item 47, FD at 1; Item 31, Instructions to OIC/Postmaster to Post Proposal; Item 33, Invitation for Comments on the Proposal; Item 37, Notice of Taking Proposal and Comments Under Internal Consideration. The Final Determination was posted at the Simsbury Post Office beginning on August 09, 2011. Item 47, FD cover sheet; Item 48, Letter of Instructions Regarding Posting of the Tariffville Post Office Final Determination; Item 50, Postal Bulletin Post Office Change Announcement.

In light of the suspension of the facility,<sup>3</sup> a postmaster vacancy due to reassignment after the emergency suspension, a minimal workload, declining office

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<sup>3</sup> Petitioners question why a decision was made to study the Tariffville Post Office on grounds of the suspension. Under regulations in Handbook PO-101 in effect at the time the discontinuance was commenced, it was common to initiate a study when the postmaster position became vacant or when an office was suspended. See former Handbook PO-101 section 213. This is still the case under revised Handbook PO-101, effective July 14, 2011. The Postal Service further notes that changes made to Handbook PO-101 effective July 14 promote consistency of decision-making by allowing for the identification of candidate facilities for study based on factors such as workload, customer demand, and availability of alternatives.

revenue,<sup>4</sup> the variety of delivery and retail options (including the convenience of rural delivery and retail service), minimal impact upon the community,<sup>5</sup> and the expected financial savings,<sup>6</sup> the Postal Service issued the Final Determination to close the Tariffville Post Office.<sup>7</sup> Regular and effective postal services will continue to be provided to the Tariffville community in a cost-effective manner upon implementation of the Final Determination. Item 47, FD at 1.

The issues raised by the Petitioners are addressed in the paragraphs which follow.

### **Effect on Postal Services**

Consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iii), and as addressed throughout the administrative record, the Postal Service considered the effect of closing the Tariffville Post Office on postal services provided to Tariffville customers. The closing is premised upon providing regular and effective postal services to Tariffville customers.

The Petitioners, in their letters of appeal, raise the issue of the effect on postal services of the Tariffville's closing, noting that the Tariffville Post Office was located in a

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<sup>4</sup> Item 47, FD at 1.

<sup>5</sup> Item 47, FD at 1; Item 33, Invitation at 1.

<sup>6</sup> Item 47, FD at Part IV.

<sup>7</sup> Item 47, FD at Part VI. Congressman Murphy states that the Final Determination posting was not prominently displayed. Counsel has contacted the discontinuance coordinator and the notices were posted at the Simsbury Post Office. Initially, the postings were by the Tariffville P.O. Boxes carousel in the outer lobby, but the postings had to be replaced numerous times because they were removed presumably by customers. Later postings were posted in the inside lobby across from the window on the bulletin board to prevent the removal of the posting by customers. The community was able to read the documents and if removed, the postmaster would have noticed the removal. Moreover, given the volume of correspondence and timely receipt of appeal documents received from several members of the community in connection with this appeal, it is evident that the community had abundant and adequate notice of the FD.

central location and served large numbers of senior citizens. These concerns were considered by the Postal Service.

The effect of closing the Tariffville Post Office on the availability of postal services to the Tariffville customers was considered extensively by the Postal Service. Item 47, FD at 1; Item 33, Proposal at 1. Upon the implementation of the Final Determination, services provided by the Tariffville Post Office, such as the sale of stamps, envelopes, postal cards, and money orders, are available at the Simsbury Post Office located 3.4 miles away, and will also be available from a mail carrier to roadside mailboxes located close to customer residences. Item 47, FD at 1; Item 33, Invitation for Comments at 1. In hardship cases, delivery can be made to the home of a customer. Item 47, FD Part I, Concern and Response to Proposal 7. There are six other post offices within 5 miles of the Tariffville Post Office. These are the Simsbury Post Office, the East Granby Post Office, The Granby Post Office, the Poquonock Post Office, and the Bradley Airport Retail Office. Item 4, Post Office Highway Map; Item 38, Letter to York at 1.

The Postal Service explained that carrier service is beneficial to many senior citizens and to those who may face special challenges because they do not have to travel to the Post Office for service. Item 47, FD at Part I, Concern and Response to Proposal 7-8. Most transactions do not require meeting the carrier at the mailbox. Item 47, FD, Part VI. Customers may also arrange stamp purchases online at [usps.com](https://usps.com), or by calling 1-800-STAMP-24. Item 47, FD, Part I, Concern and Response from meeting at 33-38. Customers may also use the toll free number to arrange for package pickup.

Item 47, FD at 5. Packages that fit within the mailbox dimensions will be delivered to roadside mailboxes, and for those items that do not fit, the carrier will travel up to one-half mile from the mailbox to deliver the packages to a convenient place (such as a porch or carport) that the customer designates. Item 47, FD, Concern and Response to questionnaire 3-4.

The Petitioners also raise the issue of mail security. This concern was also addressed in the record. The Postal Service studied this issue and reported that the records of the Postal Inspection Service do not indicate any reports of mail theft or vandalism in the area. Item 14, Inspection Service/Police Reports.

In addition to carrier service, retail services and post office boxes will be available at the Simsbury Post Office, an EAS-20 level office which has 281 available Post Office Boxes. Item 47, FD at 1. Window service hours at the Simsbury Post Office are from 8:30 to 17:00 Monday through Friday, and from 9:00 to 12:00 on Saturdays. Item 47, FD at 1.

The Petitioners allege that the Simsbury Post Office is overburdened and there is inadequate parking and staff. The Postal Service took account of these comments by notifying the Simsbury Post Office. Item 47, FD at Part I, Concern and Response to proposal at 12-13; Concern and Response to questionnaire at 26-27.

The Petitioners also allege that flooding due to hurricanes and snowmelt cause road closures and detours to use the Simsbury Post Office. Such events are infrequent, however, and in any event postal services can be provided by carrier, thereby

eliminating the need to travel to Simsbury for service. Item 47, FD at 1; Item 33, Invitation for Comments at 1.

Thus, the Postal Service has considered impact of closing the Tariffville Post Office upon the provision of postal services to the Tariffville customers, and has properly concluded that the Tariffville customers will continue to receive regular and effective service. Carrier delivery will be made to roadside mailboxes and will also provide retail services, including the sale of stamps, that the customer can arrange online, by phone, or by leaving money or a note in the mailbox. Packages will be delivered to mailboxes, and those that are too large for the mailbox may be delivered to a convenient, customer-selected point up to one-half mile from the mailbox. Accordingly, the Postal Service has properly considered the impact of closing the Tariffville Post Office, and has properly concluded that the Tariffville customers will continue to receive regular and effective mail service.

### **Effect Upon the Tariffville Community**

The Postal Service is obligated to consider the effect of its decision to close the Tariffville Post Office upon the Tariffville community. 39 U.S.C. § 404(d)(2)(A)(i). While the primary purpose of the Postal Service is to provide postal services, the statute recognizes the substantial role in community affairs often played by local Post Offices, and requires consideration of that role whenever the Postal Service proposes to discontinue a Post Office.

Tariffville is an unincorporated rural community located in Hartford County. The Simsbury Police Department provides police protection, and the Simsbury Fire



Department provides fire protection. Item 47, FD at Part II. The community is comprised of residents, many of whom commute to work in nearby communities. Item 47, FD, Part II. Business and Organizations include: The Tariffville School, Trinity Episcopal Church, St. Bernards Church, Beauty by Jennie, Elizabeth's Restaurant, Cracker Barrel Restaurant, Checkered Flag Auto, Village Auto, Valley Barber, Kement Tarriffville Package Store. Item 47, FD at Part II. The questionnaires completed by the Tariffville customers indicate that, in general, the retirees, senior citizens, and others who reside in Tarriffville may travel for other supplies and services. Item 47, FD, Part II. Item 22, Returned Customer Questionnaires and Postal Service Response Letters. The Petitioners raise the issue of the effect of the closing of the Tariffville Post Office upon the Tariffville community. This issue was extensively considered by the Postal Service, as reflected in the administrative record. Item 47, FD, Part II Concern and Responses 1-10. The Postal Service explained that a community's identity derives from the interest and vitality of its residents and their use of its name. Item 47, FD, Part II, Concern 3-4. The Postal Service further explained that the Postal Service is helping to preserve community identity by continuing the use of the Tariffville name for P.O Box customers at the Simsbury Post Office. Item 47, FD, Part I, Concern and Response to questionnaire at 65; Item 38, Letter, at 1. Communities generally require regular and effective postal services and these will continue to be provided to the Tariffville community. Thus, the Postal Service has met its burden, as set forth in 39 U.S.C. § 404(d)(2)(A)(i), by considering the effect of closing the Tariffville Post Office on the Tariffville community.

## **Economic Savings**

The Postal Service also properly considered the economic savings that would result from the proposed closing, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The estimated annual savings associated with discontinuing the Tariffville Post Office are \$66,383. Item 47, FD at Part IV.

Petitioners in this appeal question the rationale to close the Tariffville Post Office because it was not losing money. Here, however, a variety of factors inform the decision to discontinue the Tariffville Post Office, including the emergency suspension due to unsafe conditions of the building, including a postmaster vacancy,<sup>8</sup> minimal workload, declining office revenues,<sup>9</sup> minimal impact on the community,<sup>10</sup> and the expected financial savings.<sup>11</sup> Moreover, postal regulations in the Handbook PO-101 do not consider the profitability of an office as a factor triggering or justifying the outcome of a discontinuance study. Rather, the Postal Service considers numerous factors, including workload, revenue trends, usage patterns, and alternate access. In this case, given the proximity of other Post Offices and the benefits of provision of service through rural route, the Postal Service has determined that it can still provide regular and effective service. Thus, economic factors are one of several factors that the Postal Service considered, and the economic savings have been calculated as required for

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<sup>8</sup> Item 47, FD at 2, Concern and Response to proposal 1.

<sup>9</sup> Item 47, FD at 2.

<sup>10</sup> Item 47, FD at Part II.

<sup>11</sup> Item 47, FD at Part IV.

discontinuance studies in accordance with statutory obligations and Commission precedent. See 39 U.S.C. § 404(d)(2)(A)(iv).

### **Effect on Employees**

As documented in the record, the impact on postal employees is minimal. In light of the suspension, the postmaster was reassigned on February 4, 2011 to the Simsbury Post Office. Item 47, FD at 2. Notice of termination of the lease was provided by notice dated March 10, 2011, effective April 12, 2011. Item 5, Landlord's Notice of Termination. Therefore, in making the determination, the Postal Service considered the effect of the closing on the employees at the Tariffville Post Office, consistent with its statutory obligations. See 39 U.S.C. § 404(d)(2)(A)(ii).

### **Conclusion**

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of closing the Tariffville Post Office on the provision of postal services and on the Tariffville community, as well as the economic savings that would result from the proposed closing, the effect on postal employees, and other factors, consistent with the mandate of 39 U.S.C. § 404(d)(2)(A).

After taking all factors into consideration, the Postal Service determined that the advantages of discontinuance outweigh the disadvantages. In addition, the Postal Service concluded that after the discontinuance, the Postal Service will continue to provide effective and regular service to Tariffville customers. Item 47, FD. The Postal Service respectfully submits that this conclusion is consistent with and supported by the

administrative record and is in accord with the policies stated in 39 U.S.C. § 404(d)(2)(A).

The Postal Service respectfully requests that the determination to close the Tariffville Post Office be affirmed.

Respectfully submitted,

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